

# PROFESSIONAL ENGINEERS REGISTRATION BOARD (PERB)

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**THE PROPOSED AMENDMENTS TO THE PROFESSIONAL ENGINEERS  
REGISTRATION ACT**



SEPTEMBER 22, 2023



# OUTLINE OF PRESENTATION

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- Introduction to PERB
  - Board Members
  - Vision, Mission and Values
  - Mandate and Functions of PERB
  - Strategic Objectives of PERB

# OUTLINE OF PRESENTATION (CONT'D)

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- Legislative Framework
- Proposed Amendments to PERA
- Other Matters

# **INTRODUCTION TO PERB**

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# BOARD MEMBERS

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*The current Board was appointed on April 24, 2023. The members of the Board are:*

\* Engr. Glaister Ricketts, Chairman

\* Atty. Raquel Forbes

\* Engr. Christopher Hamilton

\* Engr. Michael Heron

\* Engr. Rupert James

\* Engr. Anthea Newman

\* Engr. Orett Parker

\* Engr. Natalie Sparkes

\* Engr. Gary Walters

# VISION , MISSION AND VALUES

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## **Vision**

- To be a globally recognized Professional Engineering regulatory body.

## **Mission**

- To regulate the practice of engineering in Jamaica to ensure the highest standards are maintained

## **Values**

- Professionalism, Integrity, Respect

# MANDATE

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**The Professional Engineers Registration Board (PERB) is responsible, under the Professional Engineers Registration Act (PERA) of 1987, for the regulation of the practice of engineering in Jamaica including the registration of engineers.**

# **FUNCTIONS OF THE BOARD**

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## **Under the PERA, the Board:**

- Registers engineers.
- Issues certificates of authorization to organizations.
- Determines the categories of engineering work in which applicants are to be registered.
- Regulates the practice of engineering in Jamaica.



# **FUNCTIONS OF THE BOARD, (CONT'D)**

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- Promotes and ensures the maintenance of acceptable standards of professional conduct by persons registered as engineers under the PERA; and
- Prescribes the procedure to be followed in instituting disciplinary proceedings against engineers in relation to professional conduct.

# STRATEGIC OBJECTIVES, STRATEGIES AND EXPECTED OUTCOMES OF PERB

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## STRATEGIC OBJECTIVES

- Streamline the registration process
- Strengthen the enforcement and disciplinary processes
- Secure the financial sustainability of the PERB
- Improve communication with and responsiveness to stakeholders

# STRATEGIC OBJECTIVES ,STRATEGIES AND EXPECTED OUTCOMES OF PERB (CONT'D)

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## STRATEGIES

- Use technology to improve business processes
- Increase capacity for enforcement
- Increase outreach activities to stakeholders

# STRATEGIC OBJECTIVES ,STRATEGIES AND EXPECTED OUTCOMES OF PERB (CONT'D)

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## OUTCOMES

- Efficient, convenient and timely business processes
- Strong enforcement and timely disciplinary processes
- Financially sustainable
- Informed stakeholders

# **LEGISLATIVE FRAMEWORK**

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# LEGISLATIVE FRAMEWORK

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- The Professional Engineers Registration Act, 1987
- The Professional Engineers Registration Regulations, 1991
- The Professional Engineers (Code of Professional Conduct) Rules, 2004
- The Professional Engineers Registration (Professional Engineers' Seals) Regulations, 2006

# **PROPOSED AMENDMENTS TO PERA**

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# PROPOSED AMENDMENTS TO PERA

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- *Cabinet approved the following amendments to PERA and approved the issue of drafting instructions to the Office of the Parliamentary Counsel (OPC) to draft the amendments*
  - Change the term ‘engineer’ to ‘professional engineer’ throughout the Act’.
  - Increase the period of practical experience required for registration as an engineer from two (2) to four (4) years.
  - Remove the category of Special Registration from the Act while allowing persons currently registered within that category to maintain that status to the end of the registration term.



# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- Provide a specific deadline for the payment of the prescribed fee for the Practising Certificate and impose a penalty for failure to pay the fee by the stated deadline.
- Include a provision which allows persons who are registered engineers but not practising engineers (i.e. persons not carrying out engineering activities in the field), to maintain their registered status without having to obtain the Practising Certificate.
- Introduce a provision that would require engineers to complete a mandatory minimum number of Professional Development Hours or Continuing Education Units annually in order to qualify for the annual Practising Certificate.

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- Review all existing fines and penalties in the Act with a view to making them current and appropriate to the impact that improper engineering can have on public safety.

Drafting instructions were sent to the OPC. We received the draft legislation to amend the PERA and also the draft Continuing Education Regulations.

These documents were reviewed by the Board and the responses were sent back to our parent ministry for transmission to the OPC.

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- **Change the term ‘engineer’ to ‘professional engineer’ throughout the Act’.**

*Professional engineer is the recognized designation globally for persons who practice professional engineering. This term differentiates the professional engineer from other occupations that use the common term ‘engineer’ such as those in the railway and music business. This will remove any lack of clarity that exists.*

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- **Increase the period of practical experience required for registration as an engineer from two (2) to four (4) years.**

*PERB has noticed that over the years, applicants with only two years experience often fall short of the required competence for registration. In addition, as PERB moves toward seeking reciprocity with other jurisdictions, it is necessary to bring our standards in line with global ones. Four years of practical experience is the norm globally and within the region*

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- **Remove the category of Special Registration from the Act while allowing persons currently registered within that category to maintain that status to the end of the registration term.**

*There is now a larger pool of qualified engineers and numerous opportunities for persons to achieve the requisite qualifications locally so there is no need to maintain a secondary regime for the registration of engineering professionals.*

*Persons performing engineering services to the Government must have the requisite knowledge and experience to provide engineering services to the increasingly complex projects that are being undertaken by the Government.*

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- Provide a specific deadline for the payment of the prescribed fee for the Practising Certificate and impose a penalty for failure to pay the fee by the stated deadline.

*PERB is entirely funded from fees. This provision is to encourage greater compliance and reduce delinquency on the part of registered professional engineers.*

# **PROPOSED AMENDMENTS TO PERA (CONT'D)**

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## **Proposed deadline for payment of practising fees and proposed penalties**

- Fee paid after March 1 but before April 1, the fee payable will be 50% higher than the fee due on January 1
- Fee paid after April 1 but before June 1, the fee payable will be 75% higher than the fee due on January 1
- Fee paid after June 1 the fee payable will be 100% higher than the fee due on January 1

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- **Include a provision which allows persons who are registered engineers but not practising engineers (i.e. persons not carrying out engineering activities in the field), to maintain their registered status without having to obtain the Practising Certificate.**

*There is currently no provision in the PERA for persons to suspend their status when they are not practicing engineering. This provision introduces this option and will reduce the delinquency of persons who could qualify for this status.*



# PROPOSED AMENDMENTS TO PERA (CONT'D)

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## Introduction of Non-practising status (proposed)

- Registered professional engineers who:
  - Reside outside of Jamaica, have retired from the practice of engineering or are engaged in full time study
  - Do not carry on the practice of engineering in Jamaica and
  - Wish to maintain their registered status

*May apply to PERB for non-practising status*

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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## Introduction of Non-practising status (proposed)

- Non-practising registered professional engineers will not be required:
  - ✓ To meet annual continuing education requirements
  - ✓ To obtain an annual practising certificate
- However non-practising registered professional engineers who wish to resume practising status will be required to prove that they had acquired a stated minimum number of professional engineers continuing education hours prior to applying to resume practising status.

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- **Introduce a provision that would require engineers to complete a mandatory minimum number of Professional Development Hours or Continuing Education Units annually in order to qualify for the annual Practising Certificate.**

*This is to ensure that registered professional engineers continually update their knowledge of engineering within specific disciplines and will place local registered professional engineers in a competitive position in the global market*

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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## - draft **CONTINUING EDUCATION REGULATIONS**

- Registered engineers (except for those in non -practising status) will be required to complete 12.5 hours of continuing professional education each year
- PERB will determine the breakdown of subjects required.
- Completion of the required hours of continuing professional education will be required for a practising registered professional engineer to obtain an annual practising certificate

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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## - draft **CONTINUING EDUCATION REGULATIONS**

- Providers of professional engineers continuing education will have to apply to PERB for approval as a provider as well as for the courses they will offer
- Registered professional engineers may apply for exemptions or for an extension of time to acquire the professional engineers continuing education hours required
- Non-practising registered professional engineers who wish to resume practising status will be required to prove that they had acquired a stated minimum number of professional engineers continuing education hours prior to applying to resume practising status.

# PROPOSED AMENDMENTS TO PERA (CONT'D)

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- **Review all existing fines and penalties in the Act with a view to making them current and appropriate to the impact that improper engineering can have on public safety.**

*This will enhance enforcement.*

# OTHER MATTERS

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# OTHER MATTERS

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- The PERB wishes to provide a structured path for graduate engineers to gain the experience required for registration as a professional engineer and is working with the JIE to achieve this objective.
- The PERB is actively working towards international recognition of PERB registration.
- The PERB is actively working to increase its enforcement capacity.
- The PERB plans to increase its visibility to inform the public and other stakeholders to increase compliance



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**THANK YOU**



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**ANY QUESTIONS?**